IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 23700 of 1996

Between:

1. Bayyaram Lakshmi, age 25 years,

w/o. Ellaiah

2. Bayyaram Syamala, age 23 years,

w/o. Kishan

3. Perka Nagavva, age 40 years,

w/o. Dargaiah

4. Bayyaram Narsavva, age 25 years,

w/o. Rajaiah

5. Bayyaram Mallavva, age 30 years,

w/o. Lakshmaiah

6. Perka Chandravva, age 40 years,

w/o. Rajaiah

7. Perka Nagavva, age 20 years,

w/o. Srinivas

8. P. Galavva, 25 years,

w/o. Ramachandram

9. P. Dargaiah, age 48 years,

s/o. Balamallu

(All the petitioners are r/o. Ambedkarnagar,

Siddipet, Medak District)

..... PETITIONERS

AND

1. The District Collector,

Medak District at Sangareddy.

2. The M.R.O., Siddipeta Mandal,

Siddipeta, Medak District.

3. Balraj, age 47 years,

s/o. Shiva rAj, r/o. Siddipeta Town,

Bharatnagar, Medak.

4. Mohd. Ahmed Hussain, age 64 years,

s/o. Bande Ali, r/o. 12-4-72, Medak Road,

Siddipeta, Medak District.

5. Nagarjuna Reddy, age 50 years,

s/o. Ramakrishna Reddy,

r/o. Ramancha Chinna Kodur Mandal.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ of Mandamus or other appropriate order or direction in the nature of a writ declaring the action of the respondents as illegal, void and violative of fundamental rights and principles of natural justice further directing the respondents not to interfere into the peaceful possession of plots 1 to 8 in S.No. 1553 situated at Siddipeta.

Counsel for the Petitioners: MS.P.A.KAMALESWARI

Counsel for the Respondents 1 & 2: G.P. for REVENUE.

Counsel for the Respondents 3 to 5: Mr. M.A. BARI

The Court made the following :

ORDER:

Petitioners claim to be in possession of Ac.0.17 guntas in Sy.No.1553 of Siddipeta. It is the case of the petitioners that in respect of the very same land, the Mandal Revenue Officer, Siddipeta, Medak District-second respondent herein on 15.10.1991 issued pattas in favour of respondents 3 to 5 as they are ex-servicemen for an extent of 200 sq.yds. each, totalling to 600 sq.yds. for construction of houses and on interference of the respondents 3 to 5 with the possession of the petitioners, a representation is said to have been made to the respondents 1 and 2, which resulted in issuing a show-cause notice by the first respondent dated 5.2.1993 to the respondents 3 to 5 alleging that the assignment made by the second respondent in their favour was irregular. After issuance of the show-cause notice, the District Revenue Officer by proceedings dated 13.10.1993 cancelled the pattas issued in favour of respondents 3 to 5. Aggrieved by the cancellation of pattas, the respondents 3 and 4 filed W.P.No.16780 of 1993 and obtained an interim order on 6.11.1993 against the cancellation proceedings dated 13.10.1993. According to the petitioners, they are also impleaded as parties in the said writ petition and the same is still pending. Pending the said writ petition, the present writ petition is filed to direct the respondents not to interfere with the peaceful possession of the petitioners in the land in question.

It is now brought to the notice of this Court that the writ petition No.16780 of 1993 filed by the respondents 3 and 4 is disposed of on 17.2.1997 with the following directions:

"Heard. Against the order of cancellation by the District Revenue Officer, appeal lies to the Commissioner of Land Revenue. Therefore, it is proper to direct the petitioners to file an appeal before the Commissioner of Land Revenue within a period of three months from this day and the Commissioner, Land Revenue, if such an appeal is filed, shall dispose of the same within three months thereafter and both the parties shall maintain status quo as regards possession till the appeal is disposed of.

The writ petition is disposed of with the above observation. No costs."

In the light of the above order, no further orders are necessary in this writ petition.

Accordingly, the writ petition is disposed of in the light of the order dated 17.2.1997 in W.P.No.16780 of 1993. No costs.

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A. GOPAL REDDY. J.

25th October, 2004

tsr.

To

1. The District Collector,

Medak District at Sangareddy.

2. The M.R.O., Siddipeta Mandal,

Siddipeta, Medak District.

3. Two CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

4. Two CD copies.